

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04-10909-RWZ

ROBERT DAVID BECKLEY

v.

CITY OF BOSTON, et al.

ORDER

September 7, 2005

ZOBEL, D.J.

Plaintiff was arrested after driving and behaving erratically. He sued the City of Boston, several city officials, and the police officer involved in the incident. All defendants except Officer King moved for dismissal which was allowed. Plaintiff appealed, but the appeal was dismissed for lack of appellate jurisdiction. There remain a number of undecided motions.

Plaintiff's motion for leave to file amended complaint (#32 on the docket)

The motion is denied as moot.

Plaintiff's motion to strike the City's motion to dismiss (#33 on the docket)

The motion is denied as moot.

Plaintiff's motion for a temporary restraining order (#54 on the docket)

Plaintiff seeks to restrain the City from allowing police officers to use firearms in the course of carrying out their duties. The motion is denied as moot and because it is beyond this Court's jurisdiction.

Plaintiff's motion to amend the complaint (#54 on the docket)

This is plaintiff's fourth amendment, and the motion is denied. The only remaining defendant, Joseph King, has filed an answer to the Third Amended Complaint, and this is where the pleadings shall remain.

Plaintiff shall refrain from filing further amendments to the complaint. Moreover, if plaintiff disagrees with a motion by defendant, he shall oppose it, instead of moving to strike it. Any opposition shall be made in good faith with proper reasons.

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DATE

/s/ Rya W. Zobel  
RYA W. ZOBEL  
UNITED STATES DISTRICT JUDGE